

1 EDMUND G. BROWN JR., Attorney General  
of the State of California  
2 ARTHUR D. TAGGART  
Supervising Deputy Attorney General  
3 BRIAN S. TURNER, State Bar No. 108991  
Deputy Attorney General  
4 1300 I Street, Suite 125  
P.O. Box 944255  
5 Sacramento, CA 94244-2550  
Telephone: (916) 445-0603  
6 Facsimile: (916) 327-8643

7 Attorneys for Complainant

8 **BEFORE THE**  
9 **BOARD OF REGISTERED NURSING**  
10 **DEPARTMENT OF CONSUMER AFFAIRS**  
11 **STATE OF CALIFORNIA**

12 In the Matter of the Accusation Against:

Case No. *2009-96*

13 **PATRICIA ANN OROSZ, A.K.A.**  
14 **PATRICIA ANN LIEGEROT**

**A C C U S A T I O N**

15 7676 Masters Street  
16 Elk Grove, California 95758

Registered Nurse License No. 565327

Respondent.

17 Ruth Ann Terry, M.P.H., R.N. ("Complainant") alleges:

18 **PARTIES**

19 1. Complainant brings this Accusation solely in her official capacity as the  
20 Executive Officer of the Board of Registered Nursing ("Board") Department of Consumer  
21 Affairs.

22 **Registered Nurse License**

23 2. On or about March 21, 2000, the Board issued Registered Nurse License  
24 Number 565327 to Patricia Ann Liegerot, also known as Patricia Ann Orosz ("Respondent").  
25 The registered nurse license will expire on August 31, 2009, unless renewed.

26 **JURISDICTION**

27 3. Section 2750 of the Business and Professions Code ("Code") provides, in  
28 pertinent part, that the Board may discipline any licensee, including a licensee holding a

temporary or an inactive license, for any reason provided in Article 3 (commencing with Code section 2750) of the Nursing Practice Act.

4. Code section 2764 provides, in pertinent part, that the expiration of a license shall not deprive the Board of jurisdiction to proceed with a disciplinary proceeding against the licensee or to render a decision imposing discipline on the license. Under Code section 2811, subdivision (b), the Board may renew an expired license at any time within eight years after the expiration.

5. Code section 118, subdivision (b), provides, in pertinent part, that the expiration of a license shall not deprive the Board of jurisdiction to proceed with a disciplinary action during the period within which the license may be renewed, restored, reissued or reinstated.

#### **STATUTORY PROVISIONS**

6. Code section 2761 states, in pertinent part:

The board may take disciplinary action against a certified or licensed nurse or deny an application for a certificate or license for any of the following:

(a) Unprofessional conduct. . . .

7. Code section 2762 states, in pertinent part:

In addition to other acts constituting unprofessional conduct within the meaning of this chapter [the Nursing Practice Act], it is unprofessional conduct for a person licensed under this chapter to do any of the following:

(a) Obtain or possess in violation of law, or prescribe, or except as directed by a licensed physician and surgeon, dentist, or podiatrist administer to himself or herself, or furnish or administer to another, any controlled substance as defined in Division 10 (commencing with Section 11000) of the Health and Safety Code or any dangerous drug or dangerous device as defined in Section 4022.

(e) Falsify, or make grossly incorrect, grossly inconsistent, or unintelligible entries in any hospital, patient, or other record pertaining to the substances described in subdivision (a) of this section.

8. Code section 4060 states, in pertinent part:

No person shall possess any controlled substances, except that furnished to a person upon the prescription of a physician, dentist, podiatrist, optometrist, veterinarian, or naturopathic doctor....

///

1           9.     Health and Safety Code section 11173, subdivision (a) provides that no  
2 person shall obtain or attempt to obtain controlled substances, or procure or attempt to procure  
3 the administration of or prescription for controlled substances, (1) by fraud, deceit,  
4 misrepresentation, or subterfuge; or (2) by the concealment of a material fact.

5                                   **COST RECOVERY**

6           10.    Code section 125.3 provides, in pertinent part, that the Board may request  
7 the administrative law judge to direct a licensee found to have committed a violation or  
8 violations of the licensing act to pay a sum not to exceed the reasonable costs of the investigation  
9 and enforcement of the case.

10                               **11.    DRUGS**

11                   **“Demerol,”** a brand of meperidine hydrochloride, is a Schedule II controlled  
12 substance as designated by Health and Safety Code section 11055, subdivision (c)(17) and a  
13 dangerous drug under Code section 4022 in that under federal or state law it requires a  
14 prescription.

15                   **“Dilaudid,”** a brand of hydromorphone, is a Schedule II controlled substance as  
16 designated by Health and Safety Code section 11055, subdivision (b)(1)(K), and a dangerous  
17 drug under Code section 4022 in that under federal or state law it requires a prescription.

18                   **“Morphine”** is a Schedule II controlled substance as designated by Health and  
19 Safety Code section 11055, subdivision (b)(1)(M), and a dangerous drug under Code section  
20 4022 in that under federal or state law it requires a prescription.

21                                   **FIRST CAUSE FOR DISCIPLINE**

22                   **(Obtained and Possessed Controlled Substances in Violation of Law; Self Administration)**

23           12.    Respondent is subject to discipline under Code section 2762, subdivision  
24 (a), on the grounds of unprofessional conduct, in that in or about August 2006, Respondent  
25 committed the following acts:

26                   a.     Respondent obtained Demerol, Dilaudid, and Morphine, all controlled  
27 substances, by fraud, deceit, misrepresentation or subterfuge by taking the drugs from hospital  
28 supplies in violation of Health and Safety Code section 11173, subdivision (a).

b. Respondent possessed Demerol, Dilaudid, and Morphine, all controlled substances, in violation of Code section 4060.

c. Respondent, by her own admission, self-administered Demerol, Dilaudid, and Morphine, all controlled substances, without the direction of a licensed physician.

## **SECOND CAUSE FOR DISCIPLINE**

### **(Falsify Patient and/or Hospital Records)**

13. Respondent is subject to discipline under Code section 2762, subdivision (e), for unprofessional conduct, in that in or about August 2006, while on duty as a registered nurse at Mercy General Hospital, Sacramento, California, Respondent falsified or made grossly incorrect, inconsistent, or unintelligible entries in the following hospital and patient records:

#### **Patient A**

a. On August 4, 2006, at 1835 hours, Respondent withdrew 3 1mg/ml syringes of Dilaudid for this patient from the Omnicell System and charted the administration of 3 mg of Dilaudid in the patient's medication administration record; however, Respondent failed to chart the administration of the drug in the nurses notes. This patient was not assigned to Respondent.

#### **Patient B**

b. On August 18, 2006, at 0729 hours, Respondent withdrew a 10 mg/ml syringe of Morphine from the Omnicell System when there was no physician's order for Morphine for this patient. Respondent failed to account for the disposition of the drug in any patient or hospital record.

c. On August 18, 2006, at 1039 hours, Respondent withdrew a 10 mg/ml syringe of Morphine from the Omnicell System when there was no physician's order for Morphine for this patient. Respondent failed to account for the disposition of the drug in any patient or hospital record.

d. On August 18, 2006, at 1247 hours, Respondent withdrew a 10 mg/ml syringe of Morphine from the Omnicell System when there was no physician's order for

///

1 Morphine for this patient. Respondent failed to account for the disposition of the drug in any  
2 patient or hospital record.

3 e. On August 18, 2006, at 1355 hours, Respondent withdrew a 10 mg/ml  
4 syringe of Morphine from the Omnicell System when there was no physician's order for  
5 Morphine for this patient. Respondent failed to account for the disposition of the drug in any  
6 patient or hospital record.

7 **Patient C**

8 f. On August 19, 2006, at 0748 hours, Respondent withdrew a 10 mg/ml  
9 syringe of Morphine from the Omnicell System when there was no physician's order for  
10 Morphine for this patient. Respondent failed to account for the disposition of the drug in any  
11 patient or hospital record.

12 g. On August 19, 2006, at 1409 hours, Respondent withdrew a 10 mg/ml  
13 syringe of Morphine from the Omnicell System when there was no physician's order for  
14 Morphine for this patient. Respondent failed to account for the disposition of the drug in any  
15 patient or hospital record.

16 **Patient D**

17 h. On August 19, 2006, at 1042 hours, Respondent withdrew a 10 mg/ml  
18 syringe of Morphine from the Omnicell System when there was no physician's order for  
19 Morphine for this patient. Respondent failed to account for the disposition of the drug in any  
20 patient or hospital record.

21 **Patient E**

22 i. On August 25, 2006, at 1052 hours, Respondent withdrew a 10 mg/ml  
23 syringe of Morphine from the Omnicell System when there was no physician's order for  
24 Morphine for this patient. Respondent failed to account for the disposition of the drug in any  
25 patient or hospital record.

26 **Patient F**

27 j. On August 25, 2006, at 1643 hours, Respondent withdrew a carpule of 75  
28 mg syringe of Demerol from the Omnicell System and charted the administration of 50 mg of

1 Demerol in the patient's medication administration record; however, Respondent failed to chart  
2 the administration or wastage of any portion of the remaining 25 mg of Demerol in any patient or  
3 hospital record or otherwise account for the disposition of the remaining Demerol.

4 **Patient G**

5 k. On August 25, 2006, at 0732 hours, Respondent withdrew a 10 mg/ml  
6 syringe of Morphine from the Omnicell System; however, Respondent failed to chart the  
7 administration or wastage of any portion of the Morphine in the patient's medication  
8 administration record or otherwise account for the disposition of the drug in any patient or  
9 hospital record.

10 l. On August 25, 2006, at 1313 hours, Respondent withdrew a 10 mg/ml  
11 syringe of Morphine from the Omnicell System; however, Respondent failed to chart the  
12 administration or wastage of any portion of the Morphine in the patient's medication  
13 administration record or otherwise account for the disposition of the drug in any patient or  
14 hospital record.

15 **Patient H**

16 m. On August 27, 2006, at 0802 hours, Respondent withdrew a 10 mg/ml  
17 syringe of Morphine from the Omnicell System; however, Respondent failed to chart the  
18 administration or wastage of any portion of the Morphine in the patient's medication  
19 administration record or otherwise account for the disposition of the drug in any patient or  
20 hospital record.

21 n. On August 27, 2006, at 1151 hours, Respondent withdrew a 10 mg/ml  
22 syringe of Morphine from the Omnicell System; however, Respondent failed to chart the  
23 administration or wastage of any portion of the Morphine in the patient's medication  
24 administration record or otherwise account for the disposition of the drug in any patient or  
25 hospital record.

26 **Patient H's Baby Boy**

27 o. On August 27, 2006, at 0802 hours, Respondent withdrew a 10 mg/ml  
28 syringe of Morphine from the Omnicell System when the baby boy did not have a medical record

1 and there was no physician's order for Morphine for the baby. Respondent failed to account for  
2 the disposition of the drug in any patient or hospital record.

3 **PRAYER**


4 WHEREFORE, Complainant requests that a hearing be held on the matters herein  
5 alleged, and that following the hearing, the Board of Registered Nursing issue a decision:

6 1. Revoking or suspending Registered Nurse License Number 565327, issued  
7 to Patricia Ann Orosz, also known as Patricia Ann Liegerot;

8 2. Ordering Patricia Ann Orosz, also known as Patricia Ann Liegerot to pay  
9 the Board of Registered Nursing the reasonable costs of the investigation and enforcement of this  
10 case, pursuant to Code section 125.3; and,

11 3. Taking such other and further action as deemed necessary and proper.

12  
13 DATED: 10/24/08

14  
15   
16 RUTH ANN TERRY, M.P.H., R.N.  
17 Executive Officer  
18 Board of Registered Nursing  
19 Department of Consumer Affairs  
20 State of California  
21 Complainant  
22  
23  
24  
25  
26